

**519A.05 PERFECTION OF TITLE OF PERSONAL REPRESENTATIVE, TRUSTEE, HEIR OR DEVISEE, OR TESTAMENTARY BENEFICIARY.**

If the title to any property to which this chapter applies is held by the surviving spouse at the time of the decedent's death or by a trustee of an inter vivos trust created by the decedent or the decedent and the decedent's spouse, the personal representative, the trustee, an heir or devisee of the decedent, or a testamentary beneficiary may institute an action to perfect title to the property. Neither the personal representative nor the trustee of a trust described in this section has a fiduciary duty to discover or attempt to discover whether any property held by the surviving spouse or by a trustee of any trust described in this section is property to which this chapter applies, unless a written demand is made by an heir, devisee, testamentary beneficiary, or creditor of the decedent as follows:

(1) within four months after the date of the first publication of notice to creditors, if the property was held by the surviving spouse at the time of the decedent's death; or

(2) within 60 days after the decedent's date of death, if the property was held by a trustee of an inter vivos trust at the time of death.

**History:** 2013 c 24 s 5